

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 262 - HB 1065

April 1, 2019

SUMMARY OF BILL: Sets annual time limits for state-mandated standardized testing based on grade level for students in grades 3-12. Excludes the ACT, SAT, or other assessments used to assess readiness for postsecondary education; assessments required by a local education agency (LEA) or governing body; and students with an individualized education program (IEP).

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Passage of this legislation could place the Department of Education out of compliance with federal education assessment requirements which could jeopardize the receipt of federal funding. The extent and timing of any withheld funds cannot be reasonably determined for any such impact is dependent upon action of the federal government.

Assumptions:

- The federal Elementary and Secondary Education Act (ESEA), most recently reauthorized as the "Every Student Succeeds Act" or (ESSA), is listed in 20 U.S.C. § 6311, and contains information on testing requirements.
- Based on this statute, as well as information provided by the Department of Education (DOE), all current testing time limits exceed those listed for the grade levels listed in the statutory language of the legislation, and are in place to, among other things, comply with federal ESSA law surrounding subject matter assessments.
- Based on information from the DOE, in order to comply with the legislation, some subject matter assessments which are currently tested may need to be discontinued.
- Discontinuing some subject matter assessments risks putting the state out of compliance with the ESSA, and would subsequently jeopardize federal funding to the state.
- The amount of federal funding that could be in jeopardy is unknown and dependent upon action of the USDOE; however, the Governor's recommended budget document identifies \$1,129,269,800 in federal funds to K-12 schools; all or any portion thereof, could be jeopardized if Tennessee is determined to be non-compliant with the ESSA requirements.

- Based on information from the DOE, restructuring and redesigning assessments could be accomplished by the DOE within existing resources. Therefore, the impact on state government is estimated to be not significant.
- No impact on local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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